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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 -oOo-

11 UNITED STATES OF AMERICA,)	2:09-CR-078-JCM-(RJJ)
12 Plaintiff,)	
13 vs.)	
14 SAMUEL DAVIS, and)	GOVERNMENT'S PROPOSED
15 SHAWN RICE,)	VOIR DIRE QUESTIONS
16 Defendants.)	
17 _____)	

18 COMES NOW the United States of America, by and through DANIEL G.
19 BOGDEN, United States Attorney, and J. Gregory Damm, Assistant United States
20 Attorney, and respectfully files its Proposed Voir Dire Questions for the Court's
21 consideration.

- 22
- 23 1. Have any of you ever served as a juror:
- 24 - in a civil or criminal case?
- 25 - if so, what court?
- 26 - did the jury reach a verdict?

- 1 2. Have you ever testified in court or been a party to any legal proceedings where
2 you had to go to court? If so, do you understand that there is a difference
3 between civil and criminal cases?
4
- 5 3. Have any of you, members of your family, or close friends ever been a party to
6 a lawsuit involving the local, state, or federal government? If so, please
7 explain.
8
- 9 4. Have you or any of your close friends or relatives ever been a victim of a
10 crime? If so, please explain.
11
- 12 5. Have you or any member of your family or any close friend ever had a direct
13 interest in the outcome of a criminal case? If so, might that cause you to be
14 unfair either to the United States or the defendant?
15
- 16 6. Do any of you know the defendants: Samuel Davis and Shawn Rice, or anyone
17 in their family?
18
- 19 7. The United States is represented by Assistant United States Attorney J. Gregory
20 Damm. Do any of you know him?
21
- 22 8. Special Agents and Task Force Officers of the FBI and IRS, will be assisting
23 the government prosecutor in this case. Do any of you know anyone associated
24 with the FBI or IRS?
25
26

1 9. The following people may be called as witnesses in this case. Please raise your
2 hand if, upon hearing the names of witnesses, you believe that you know any
3 of the witnesses. [Read government's and defendant's witness list.]
4

5 10. To what extent, if any, have any of you read or heard any publicity or news
6 relating to this trial? Is there anything in particular that you have read or heard
7 that has caused you to form an opinion as to the guilt or innocence of the
8 defendant, or that might influence your deliberations?
9

10 11. Do any of you have any personal knowledge of the facts in this case other than
11 what you have heard in this courtroom?
12

13 12. Do any of you hold strong personal or philosophical feelings about the federal
14 government of the United States? If so, what are those feelings?
15

16 13. Do any of you believe that the criminal laws of the United States are
17 unconstitutional?
18

19 14. Do any of you feel that it is wrong for government to prosecute criminal cases?
20

21 15. Do any of you have any disagreement with the idea that everyone is obligated
22 to obey the laws of this country?
23

24 16. Do any of you feel that violations of money laundering laws should not be
25 prosecuted as crimes by the United States?
26

- 1 17. Have you, or your relatives or close friends, to the best of your knowledge, ever
2 been investigated by the FBI or another federal agency?
- 3 a. If so, were you satisfied with how the investigation was handled?
- 4 b. If so, how would that affect your ability to hear the evidence in this
5 case?
- 6
- 7 18. Have any of you had any training in accounting or law?
- 8 a. What kind of training?
- 9 b. Would that training affect your ability to follow the court's instructions
10 on the law that should be applied in this case?
- 11
- 12 19. Do you have nay feeling or opinions about the United States government, the
13 FBI or IRS, or law enforcement officials, in general, which would affect your
14 ability to be impartial?
- 15
- 16 20. Would you be inclined to either believe or disbelieve the testimony of an
17 employee of the FBI or IRS solely because that person is employed by the FBI
18 or IRS?
- 19
- 20 21. Do any of you believe that it would be nearly impossible for the Government
21 to prove a person's guilt beyond and reasonable doubt?
- 22
- 23 22. Is there anyone who thinks the burden of proof beyond a reasonable doubt is
24 too heavy or that it is asking too much for the Government to meet this burden?
- 25
- 26

- 1 23. Has any juror had an unpleasant experience with any federal, state, or local law
2 enforcement officer?
3
- 4 24. Have you or any relative or close friend ever been involved in an investigation
5 by federal or state authorities, including any grand jury, congressional, or
6 legislative investigation?
7
- 8 25. Does any juror have any feelings regarding the United States, the U.S.
9 Department of Justice, the United States Attorney's Office, or other federal
10 agencies that would affect your ability to set as a juror in this case and listen
11 impartially to the evidence and render a verdict according to that evidence?
12 Have you ever had a dispute with a department or agency of the United States
13 that was not handled to your satisfaction?
14
- 15 26. Do any of you have a philosophical or religious belief that would prevent you
16 from judging the evidence and deciding a person's guilt or innocence?
17
- 18 27. Would any of you be willing to disobey the judge's instructions of law simply
19 because they are different from your own understanding of what the law is or
20 should be?
21
- 22 28. Can any of you think of any reason why you may not be able to render a fair
23 and impartial verdict based solely on the evidence presented if you are chosen
24 to sit on this jury?
25
26

1 29. Do you have any difficulty with your hearing, sight, or any other medical
2 problem which might impair your ability to devote your full attention to this
3 trial?

4
5 30. This trial is expected to last approximately one to two weeks. Do any of you
6 anticipate that the duration of this trial would cause any severe hardship or
7 difficulty for you because of your employment, family status, health or other
8 reasons?

9
10 DATED this __25th__ day of May 2010.

11 Respectfully submitted,

12 DANIEL G. BOGDEN
13 United States Attorney

14 /s/ J. Gregory Damm
15 J. GREGORY DAMM
16 Assistant United States Attorney
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Certificate Of Service

I, J. Gregory Damm, hereby certify that I am an employee of the United States Department of Justice, and that on this day I served a copy of the following: Government's Proposed Voir Dire Questions, upon counsel for defendant Samuel Davis via the CM/ECF system, by electronically filing the Government's Proposed Voir Dire; and by mailing, postage pre-paid, a copy of the Government's Proposed Voir Dire to defendant Shawn Rice at P.O. Box 700#81, Ash Fork, AZ 86320.

Dated: 5/25/2010

/s/ Elaine Woolery
Legal Assistant to J. Gregory Damm
Assistant United States Attorney
District of Nevada